

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WASHINGTON

JOSEPH EARL SINGLETON,

Petitioner,

V.

STATE OF WASHINGTON,

Respondent.

NO: 2:17-cv-00069-LRS

ORDER DISMISSING HABEAS ACTION

By Order filed May 8, 2017, the Court advised Petitioner of the deficiencies of his habeas petition and directed him to amend, ECF No. 15. Specifically, Petitioner had not named his present custodian as Respondent, thus depriving this Court of personal jurisdiction. *Dunne v. Henman*, 875 F.2d 244, 249 (9th Cir. 1989); *Brittingham v. United States*, 982 F.2d 378, 379 (9th Cir. 1992).

Petitioner was granted additional time, until September 12, 2017, to comply with the Court's directive. ECF No. 18. Petitioner, whose last address is at the Spokane County Jail, is proceeding *pro se* and *in forma pauperis*; Respondent has not been served. Petitioner did not comply with the directives of this Court and has filed nothing further in this action.

ORDER DISMISSING HABEAS ACTION -- 1

1 For the reasons set forth above and in the Court's prior Order, **IT IS ORDERED**
2 this habeas action is **DISMISSED without prejudice** for lack of jurisdiction.

3 **IT IS SO ORDERED.** The Clerk of Court shall enter this Order, enter judgment
4 for Respondent, forward copies to Petitioner at his last known address and close the
5 file. The Court certifies that pursuant to 28 U.S.C. § 1915(a)(3), an appeal from this
6 decision could not be taken in good faith, and there is no basis upon which to issue a
7 certificate of appealability. 28 U.S.C. § 2253(c); Fed. R.App. P. 22(b).

8 **DATED** this 24th day of October 2017.

9
10 *s/Lonny R. Sukko*

11

LONNY R. SUKO
12 SR. U.S. DISTRICT JUDGE